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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR16-287-JLR
10 v.)
11 PABLO CATANO,) ORDER DENYING DEFENDANT'S
12 Defendant.) MOTION TO REVIEW DETENTION
HEARING
13 _____)

14 Defendant Pablo Catano was indicted a charge of Conspiracy to Distribute Controlled
15 Substances on October 26, 2016. (Dkt. 1.) Defendant was represented by Gabriel Banfi. (Dkt.
16 52.) Following a detention hearing on November 9, 2016, the defendant was ordered detained.
17 (Dkt. 96, 103.) Defendant is now represented by Peter Mazzone, and is awaiting trial. (Dkt.
18 160.)

19 Defendant moves this Court to review the detention order and set conditions of Release.
20 (Dkt. 274.) The government has filed a response in opposition to the motion. (Dkt. 277.) Judge
21 Robart has referred the motion to the undersigned Magistrate Judge. The Court finds this motion
22 appropriate for resolution without oral argument or an evidentiary hearing.

01 Although defendant styled his request as a motion to review this Court's detention order
02 (18 U.S.C. §3145(b)), a motion to review a ruling of a magistrate judge must be filed within
03 fourteen days of the entry of the ruling. (MJR 12(c)). Therefore, the Court will consider
04 defendant's request a motion to reopen the hearing based on 18 U.S.C. § 3142(f)(B), which
05 provides that a detention hearing may be reopened "if the judicial officer finds that information
06 exists that was not known to the movant at the time of the hearing and that has a material bearing
07 on the issue whether there are conditions of release that will reasonably assure the appearance
08 of such person as required and the safety of any other person and the community." *Id.*

09 However, defendant's motion fails on those grounds as well. Defendant does not cite
10 §3142(f)(B), or present information alleged to have been unavailable at the time of the detention
11 hearing, but simply re-presents the argument that defendant is an appropriate candidate for
12 release. While defendant argues that his ties to this community are strong and his continued
13 detention poses a hardship to his family and business interests, defendant also concedes that
14 these arguments were presented at the detention hearing. (Dkt. 274 at 12-13.) Defendant fails
15 to make the required showing that would justify reopening the Court's determination that
16 defendant poses a risk of danger and a risk of nonappearance.

17 Defendant's Motion for Reconsideration of Order of Detention is DENIED.

18 DATED this 17th day of April, 2017.

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21 Mary Alice Theiler
22 United States Magistrate Judge